

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF MONTANA**

In re

Case No. 08-61570-11-RBK

**YELLOWSTONE MOUNTAIN CLUB,
et al.,**

Jointly Administered with 08-61571, 08-61572,
and 08-61573
Chapter 11

Debtors

**ORDER AUTHORIZING COMMITTEE TO FILE
COMPLAINT AND TO PROSECUTE THE RELATING
CAUSES OF ACTION ON BEHALF OF THE DEBTORS,
THEIR ESTATES, AND THE ESTATES' CREDITORS**

At Butte in said District this 27th day of February, 2009.

This Court has considered the motion of the Official Committee of Unsecured Creditors (the "Committee") of Yellowstone Mountain Club, LLC ("YMC") and its debtor affiliates, Yellowstone Development, LLC ("YD"), Big Sky Ridge, LLC ("BSR") and Yellowstone Club Construction Company, LLC (collectively, the "Debtors") entitled "Committee's Notice of Claim against Credit Suisse, Objection to Claim of Credit Suisse and Motion for Authorization to File Complaint against Credit Suisse" [Docket No. 366], (the "Motion") and this Court finding that notice of the Motion and opportunity for objection having been given; that the counter parties to the contract have been served, the Committee objection to Credit Suisse's claims pursuant to F.R.B.P. 3007 are timely, and further finding:

The Committee has, for the same reasons stated in this Court's January 16, 2009, Memorandum of Decision and Order [Docket No. 274], standing and authority to file a

complaint in the form of the complaint attached as Exhibit "A" to the Motion and to prosecute the resulting causes of action, not for itself, but on behalf of and for the benefit of the Debtors, their estates, and the creditors of those estates; It may be necessary to prosecute this litigation, but the Debtors are not the proper parties to do so as the litigation implicates the Debtors' former and present owners; That relief requested by the Motion is in the best interests of this estate, its creditors, and other parties in interest; After due deliberation and sufficient cause therefore;

IT IS HEREBY ORDERED that the Committee's Motion for Authorization to File Complaint Against Credit Suisse filed February 12, 2009, is GRANTED;

IT IS FURTHER ORDERED that the Committee shall continue its review and investigation of the 2005 Credit Suisse loan, the loan proceeds, and seek to maximize the value of the Promissory Notes for the benefit of the bankruptcy estates, its creditors, and other parties in interest.

BY THE COURT

A handwritten signature in cursive script, reading "Ralph B. Kirscher", is written over a horizontal line.

HON. RALPH B. KIRSCHER
U.S. Bankruptcy Judge
United States Bankruptcy Court
District of Montana
